

City of Annapolis
Alcoholic Beverage Control Board
January 8, 2014

The Regular Meeting of the Alcoholic Beverage Control Board of the City of Annapolis was held on January 8, 2014 in the City Council Chamber. Chair Leonard Berman called the meeting to order at 7:05 p.m.

Present: Chair Leonard Berman, Vice Chair Lawrence Harris, Jr, Members Catherine Shultz, Valerie Miller, Mike Miron

Staff: Assistant City Attorney Gary Elson

Member Miller moved to approve the Journal of Proceedings of December 4, 2013. Seconded. CARRIED on voice vote.

DISCIPLINARY HEARINGS

• **BACK CREEK CAFÉ & BOAT SUPPLY**

Infraction Citation No. 1961, Sales to underaged persons

The charges were not disputed by the establishment.

Present from the Annapolis Police Department were Sgt. Justin Lynam, Detectives Eric Crane, Ricky Truitt and James Reid. Also present, Maryland State Police Corporal Joseph Wilson and Cadets Solomon, Pinkey and Robinson.

The licensees waived their right to hear the charges read.

Licensees, Sandra B. Williamson and Rodrick S. Jabin were present and answered questions by the Board.

Server, Josett Marie Penrod was not present.

• **LOEWS ANNAPOLIS HOTEL**

Infraction Citation No. 1958, Sales to underaged persons

The charges were not disputed by the establishment.

Present from the Annapolis Police Department were Sgt. Justin Lynam, Detectives Eric Crane, Ricky Truitt and James Reid. Also present, Maryland State Police Corporal Joseph Wilson and Cadets Solomon, Pinkey and Robinson.

Robert R. Smith, attorney for the licensees, Franch & Smith, P.A., 107 Ridgely Avenue, Suite 9, Annapolis, Maryland 21401 on behalf of the licensees waived their right to hear

the charges read.

Licensees, Sherrie Burton Smith and Jess Hardesty were present and answered questions by the Board.

Also present, Human Resource Director Jennifer Powell, General Manager Derek Tilley and Bartender Matt Hill and answered questions addressed by the Board

Licensee, Oscar Guerra was not present.

Server, Christyanna Dabney was present and answered questions addressed by the Board.

- **METROPOLITAN KITCHEN & LOUNGE**

Infraction Citation No. 1957, Sales to underaged persons

The charges were not disputed by the establishment.

Present from the Annapolis Police Department were Sgt. Justin Lynam, Detectives Eric Crane, Ricky Truitt and James Reid. Also present, Maryland State Police Corporal Joseph Wilson and Cadets Solomon, Pinkey and Robinson.

Kemp W. Hammond, attorney for the licensees, Baldwin, Kagan & Gormely, LLC, 112 West Street, Annapolis, Maryland 21401 on behalf of the licensees waived their right to hear the charges read.

Chair Berman accepted the following into the record:

Exhibit #1: Catering Contract with cover letter dated, October 24, 2013

Exhibit #2: Pictures of the December 5, 2013 private party event

Licensee, Joseph P. Danek was present and answered questions by the Board.

Also present, General Manager Tom Hanna.

Licensee, Gavin L. Buckely was not present.

Server, Amanda Rogers was present and answered questions by the Board.

- **PORTSIDE MART**

Infraction Citation No. 1886, Sales to underaged persons

The charges were not disputed by the establishment.

Present from the Annapolis Police Department were Sgt. Justin Lynam, Detectives Eric Crane, Ricky Truitt and James Reid. Also present, Maryland State Police Corporal

Joseph Wilson and Cadets Solomon, Pinkey and Robinson.

The licensees waived their right to hear the charges read.

Licensees, William Carl Owens, III and SirVon Malek Montague were present and answered questions by the Board.

Licensee, Essie S. Brown was not present.

Server, Caddis Deon Polite was present and answered questions by the Board.

Chair Berman declared the disciplinary hearing closed.

BUSINESS AND MISCELLANEOUS

- **FLEET RESERVE CLUB OF ANNAPOLIS** – Substitution of Officer

George Dorsey *to replace* Kenneth Carter

General Manager, Brian Porter on behalf of the applicant gave a brief presentation and answered questions addressed by the Board.

Applicant, George Dorsey was present.

Licensee, Keith Henderson was also present.

Member Miron moved to approve the substitution of George Dorsey as an officer on the alcohol beverage license of FLEET RESERVE CLUB OF ANNAPOLIS. Seconded. CARRIED on voice vote.

ACTION ON DISCIPLINARY HEARING

- **BACK CREEK CAFÉ & BOAT SUPPLY**

Infraction Citation No. 1961, Sales to underaged persons

Member Miron moved that the facts presented at the hearing on January 8, 2014 warrant a violation as charged. Seconded. CARRIED on voice vote.

Member Miller moved to impose a fine for this violation of \$500. Seconded. CARRIED on voice vote.

- **LOEWS ANNAPOLIS HOTEL**

Infraction Citation No. 1958, Sales to underaged persons

Vice Chair Harris moved that the facts presented at the hearing on January 8, 2014 warrant a violation as charged. Seconded. CARRIED on voice vote.

Chair Berman moved to impose a fine for this violation of \$750. Seconded. CARRIED on voice vote.

- **METROPOLITAN KITCHEN & LOUNGE**

Infraction Citation No. 1957, Sales to underaged persons

Member Shultz moved that the facts presented at the hearing on January 8, 2014 warrant a violation as charged. Seconded. CARRIED on voice vote.

Vice Chair Harris moved to impose a fine for this violation of \$500. Motion failed due to lack of a second.

Member Miron moved to impose a fine of \$100. Seconded.

Following a discussion, Member Miron moved to amend the motion to impose a fine of \$250. Seconded. A ROLL CALL was taken:

YEAS: Member Miron and Member Miller
NAYS: Chair Berman, Vice Chair Harris and Member Schultz
DEFEATED: 3/2

Vice Chair Harris moved to impose a fine of \$ 500. Seconded. A ROLL CALL was taken:

YEAS: Chair Berman, Vice Chair Harris, Member Shultz
NAYS: Member Miron and Member Miller
CARRIED: 3/2

- **PORTSIDE MART**

Infraction Citation No. 1886, Sales to underaged persons

Member Miller moved that the facts presented at the hearing on January 8, 2014 warrant a violation as charged. Seconded. CARRIED on voice vote.

Member Shultz moved to impose a fine for this violation of \$500. Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting adjourned at 8:55 p.m.

Theresa Bucalo, CMC
Deputy City Clerk